

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FT. WORTH DIVISION

2014 JUL 18 PM 2:47

UNITED STATES OF AMERICA

CLERK OF COURT

v.

No. 4:14-CR-023-A

CHRISTOPHER ROBERT WEAST (01)

**RESPONSE TO MOTION FOR LEAVE TO FILE SUPPLEMENTAL
DESIGNATION OF EXPERT**

TO THE HONORABLE JOHN MCBRYDE, UNITED STATES DISTRICT JUDGE:

The United States Attorney for the Northern District of Texas, by and through the undersigned Assistant United States Attorney, files this response in opposition to Weast's motion for leave to file a supplemental designation of expert and would show the Court the following:

Counsel for Weast was appointed in February 21, 2014, and remained on the case until mid-April. During that time, as defense counsel acknowledges, Weast submitted a designation of experts pursuant to the originally assigned court's scheduling order. The defendant now seeks to supplement his expert designation without providing any reports to support this proposed expert's general testimony that the defense now seeks to place before the jury.

The government opposes Weast's request because the defendant has failed to identify what opinions, if any, this witness proposes to endorse, and the government has not had any opportunity to determine the underlying basis for this witness's conclusions. Without knowing what opinions this witness has to offer, the government has no way to

rebut, if needed, those claims or determine the necessity of securing its own expert witness to address the subjects Weast now proposes to introduce before the jury. Moreover, based on the proposed summary listed in the defendant's designation, the government submits that such testimony may be inadmissible because it is irrelevant and likely to cause confusion to the jury.

If the Court grants Weast's motion for leave to file a supplemental designation of experts, the government requests the Court order Weast to provide a summary of the opinions that Weast's expert intends to offer no later than noon on Tuesday, July 22, 2014. The government also requests an opportunity to supplement its witness list in the event that the newly received information warrants additional expert testimony not previously identified in the government's list.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2014, the foregoing Government's Response to Weast's Motion for Leave to Supplement Expert Designation was served by hand delivery to Angela Saad at 819 Taylor Street, Room 9A10, Fort Worth, Texas 76102.

A handwritten signature in black ink, appearing to read "Aisha Saleem", written over a horizontal line.

AISHA SALEEM

Assistant United States Attorney